

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND

PORTER HAYDEN COMPANY,
Petitioner

v.

EMPLOYERS INSURANCE OF
WAUSAU,
Respondent

CIVIL No. AMD 01-2639

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MEMORANDUM

FILED
10/03/01
ENTERED
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SEP 14 2001

CLERK U.S. DISTRICT COURT
DISTRICT OF MARYLAND

DEPUTY

Pending before the court is the petition to confirm an arbitration award (and memorandum in support thereof) filed by petitioner, and the response and opposition thereto filed by respondent.* No hearing is necessary. The parties are signatories to the "Wellington Agreement." *See Porter Hayden Co. v. Century Indem. Co.*, 136 F.3d 380 (4th Cir. 1998). Pursuant to the terms of the arbitration provision of the Wellington Agreement, the parties engaged in an arbitration proceeding. The result was an award on August 9, 2001, to petitioner in the amount of \$2,036,704. Respondent has taken an appeal from that decision to an arbitral appeal panel, and petitioner has filed a cross-appeal. No stay has been issued by the arbitral appeal panel; thus, petitioner sought confirmation of the award.

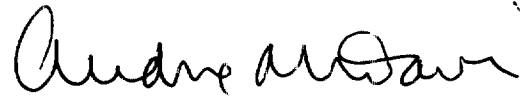
Apart from a rather cryptic suggestion that the arbitrator's award failed to conform to "the opinion of the arbitrator dated 2 February 2001 that is incorporated by reference in the

*Petitioner filed the action in the Circuit Court for Baltimore City. Respondent timely removed the case to this court on the basis of diversity of citizenship.

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[August 9, 2001] award," respondent's opposition offers no substantial reason for declining to confirm the award. Nor does the opposition attach or otherwise provide the court with a copy of the "2 February 2001" opinion. Accordingly, an order confirming the award is entered herewith.

Filed: September 14, 2001

A handwritten signature in cursive script, appearing to read "Andre M. Davis", written in black ink.

ANDRE M. DAVIS
UNITED STATES DISTRICT JUDGE